

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Liliana Manuel	Team: Squad #7	CCRB Case #: 201602949	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input checked="" type="checkbox"/> Injury
Incident Date(s) Friday, 04/01/2016 10:50 PM	Location of Incident: 311 West 43rd Street; 625 8th Avenue (Port Authority Bus Terminal); 14th Precinct Stationhouse	Precinct: 14	18 Mo. SOL 10/1/2017	EO SOL 10/1/2017	
Date/Time CV Reported Sat, 04/02/2016 3:55 AM	CV Reported At: IAB	How CV Reported: E-mail	Date/Time Received at CCRB Thu, 04/07/2016 10:49 AM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. DT2 Joseph Franco	7972	925313	NARCBMS
2. DT3 Herbert Medina	00602	943560	NARCBMS
3. LT Fabian Sanchez	00000	932211	NARCBMS
4. DT3 Edwin Cabrera	5166	946811	NARCBMS

Officer(s)	Allegation	Investigator Recommendation
A.DT3 Edwin Cabrera	Force: Detective Edwin Cabrera pointed his gun at § 87(2)(b) on West 43rd Street in Manhattan.	
B.DT2 Joseph Franco	Abuse: Detective Joseph Franco drew his gun on West 43rd Street in Manhattan.	
C.DT3 Edwin Cabrera	Abuse: Detective Edwin Cabrera threatened § 87(2)(b) with the use of force from West 43rd Street to 625 8th Avenue in Manhattan.	
D.DT2 Joseph Franco	Abuse: Detective Joseph Franco threatened § 87(2)(b) with the use of force from West 43rd Street to 625 8th Avenue in Manhattan.	
E.DT2 Joseph Franco	Force: Detective Joseph Franco struck § 87(2)(b) with a gun in 625 8th Avenue in Manhattan.	
F.DT2 Joseph Franco	Force: Detective Joseph Franco used physical force against § 87(2)(b) in 625 8th Avenue in Manhattan.	
G.DT3 Herbert Medina	Discourtesy: Detective Herbert Medina spoke discourteously to § 87(2)(b) in 625 8th Avenue in Manhattan.	
H.LT Fabian Sanchez	Abuse: Lieutenant Fabian Sanchez authorized the strip-search of § 87(2)(b) at the 14th Precinct Stationhouse.	
I.LT Fabian Sanchez	Abuse: Lieutenant Fabian Sanchez threatened § 87(2)(b) with the use of force at the 14th Precinct Stationhouse.	

### Case Summary

On April 2, 2016, Lieutenant Fabian Sanchez of Narcotics Borough Manhattan South reported to IAB that § 87(2)(b) was injured while in police custody (Board Review 01). The complaint generated original log number 16-11597, and was received at the CCRB on April 7, 2016.

On April 1, 2016, at approximately 10:50 p.m., after allegedly observing a narcotics transaction involving § 87(2)(b) Detective Edwin Cabrera of Narcotics Borough Manhattan South allegedly pointed his gun at § 87(2)(b) and Detective Joseph Franco of Narcotics Borough Manhattan South allegedly drew his gun on West 43<sup>rd</sup> Street in Manhattan (**Allegations A and B**). § 87(2)(b) ran from the officers into Port Authority Bus Terminal, located at 625 8<sup>th</sup> Avenue. While pursuing § 87(2)(b) from West 43<sup>rd</sup> Street to Port Authority Bus Terminal, both Det Cabrera and Det Franco allegedly told § 87(2)(b) “I’m going to shoot you,” (**Allegations C and D**). Once inside of Port Authority, Det Franco allegedly hit § 87(2)(b) with his gun, and punched § 87(2)(b) (**Allegations E and F**). § 87(2)(b) was handcuffed and approached by Detective Herbert Medina of Narcotics Borough Manhattan South, who allegedly told § 87(2)(b) “Don’t fucking run next time” (**Allegation G**).

§ 87(2)(b) was transported to the 14<sup>th</sup> Precinct Stationhouse, where Lt Sanchez authorized the strip-search of § 87(2)(b) (**Allegation H**). During the strip-search, Lt Sanchez allegedly pointed his taser at § 87(2)(b) (**Allegation I**). § 87(2)(b) was transported to § 87(2)(b), where he was diagnosed with an abrasion to his right knee and lacerations above his right eye, which required stitches. § 87(2)(b) was arrested for § 87(2)(b), among other charges (Board Review 02).

Video footage was obtained from a restaurant, Hakkasan, located at 311 West 43<sup>rd</sup> Street, a small parking lot at 331 West 43<sup>rd</sup> Street, and the exterior and interior of Port Authority’s entrance (Board Review 03; 14; 15; 16; 17; 22). The recordings depicted small portions of the foot pursuit but do not capture any FADO allegations.

This case went beyond the 90-day benchmark by approximately two weeks due to extensive delays in scheduling § 87(2)(b)’s interview around his court dates, and due to delays in receiving video footage.

### Mediation, Civil and Criminal Histories

- This case was unsuitable for mediation.
- As of May 3, 2016, § 87(2)(b) had not filed a Notice of Claim with the City of New York with regard to this incident (Board Review 04).
- As a result of this incident, § 87(2)(b) was arrested for § 87(2)(b) [REDACTED] (Board Review 02). His criminal case is ongoing and he is scheduled to appear in court on § 87(2)(b). He is currently incarcerated at Brooklyn Detention Complex.
- § 87(2)(b) [REDACTED]
- § 87(2)(b) [REDACTED]

### Civilian and Officer CCRB Histories

- § 87(2)(b) [REDACTED]  
§ 87(2)(g) [REDACTED]

- Det Cabrera has been a member of the NYPD for eight years. He has had five previous CCRB cases involving ten allegations, none of which were substantiated. Two of these past allegations were force allegations (physical force and gun pointed), and were unfounded. Two other past allegations were allegations of threats of force, one of which was unsubstantiated, and one of which was closed as “Complainant Uncooperative.”
- Det Franco has been a member of the NYPD for sixteen years. He has had one past CCRB case from 2003, which included two allegations, gun drawn and physical force, both of which were exonerated.
- Det Medina has been a member of the NYPD for nine years. He has had three past CCRB cases involving six allegations, none of which were substantiated. Two of these past allegations were discourtesies, both of which were unsubstantiated.
- Lt Sanchez has been a member of the NYPD for thirteen years. He has had five past CCRB cases involving six allegations, none of which were substantiated. Four of these past allegations were force allegations. Two of the force allegations were unsubstantiated, one was exonerated, and one was closed as “Complainant Uncooperative.”

### **Findings and Recommendations**

#### **Allegations Not Pleaded**

- **Search:** § 87(2)(b) alleged that after he was handcuffed, Det Medina searched him inside of Port Authority. As alleged, § 87(2)(b) was in police custody when he was searched, and the officers confirmed that the search was pursuant to § 87(2)(b)'s arrest. § 87(2)(g)

#### **Allegation A – Force: Detective Edwin Cabrera pointed his gun at § 87(2)(b) on West 43<sup>rd</sup> Street in Manhattan.**

#### **Allegation B – Abuse of Authority: Detective Joseph Franco drew his gun on West 43<sup>rd</sup> Street in Manhattan.**

#### **Allegation C – Abuse of Authority: Detective Edwin Cabrera threatened § 87(2)(b) with the use of force from West 43<sup>rd</sup> Street to 625 8<sup>th</sup> Avenue in Manhattan.**

#### **Allegation D – Abuse of Authority: Detective Joseph Franco threatened § 87(2)(b) with the use of force from West 43<sup>rd</sup> Street to 625 8<sup>th</sup> Avenue in Manhattan.**

§ 87(2)(b) provided a statement to IAB on April 2, 2016, and a sworn statement to the CCRB on April 29, 2016 (Board Review 07; 08; 13). § 87(2)(g). § 87(2)(b) alleged that while he was walking down West 43<sup>rd</sup> Street, Det Cabrera pointed his gun at § 87(2)(b) and told him not to move, and Det Franco drew his gun and held it at his side. § 87(2)(b) did not know that Det Cabrera and Det Franco were officers. He ran through a parking lot into Port Authority. § 87(2)(b) kept his hands in the air and away from his waistband/body while running. While chasing § 87(2)(b) Det Cabrera told § 87(2)(b) “Don’t move,” a few times, and both he and Det Franco repeatedly stated, “I’m going to shoot you.” In his sworn statement, § 87(2)(b) stated that the officers never identified themselves as police officers. In his statement to IAB, § 87(2)(b) claimed that Det Cabrera stated, “It’s the police!” and, “It’s narcotics!” while running. § 87(2)(b) denied having spoken or met with anyone prior to encountering the detectives, and he denied selling or being in possession of narcotics.

Det Cabrera and Det Franco provided statements to the CCRB (Board Review 18; 19). Det Cabrera alleged that while in an unmarked RMP, he observed § 87(2)(b) hand small baggies of alleged crack to five males in exchange for currency. He also observed § 87(2)(b) remove a large zip-lock bag containing numerous small yellow bags of alleged crack from his waistband. Det Franco stated that Det Cabrera informed him of the narcotics transaction he had observed, at which point Det Franco saw § 87(2)(b) touch hands with two males as if to exchange items with them. He was unable to see what they were exchanging. Neither officer observed bulges on § 87(2)(b). Both officers then exited the RMP. Det Cabrera stated that § 87(2)(b) took off running before the officers could say anything, but Det Franco claimed both he and Det Cabrera stated, “Stop, police,”

before § 87(2)(b) took off. Both Det Franco and Det Cabrera denied drawing or pointing their guns during this initial encounter with § 87(2)(b).

Det Cabrera stated that while chasing § 87(2)(b) he repeatedly yelled, “Police!” § 87(2)(b) held onto his waistband while running, and at one point, stopped running and reached towards his waistband with both hands. Det Cabrera could not see what § 87(2)(b) was reaching for, but it appeared that he was adjusting or attempting to grab something from his waistband. Det Cabrera feared § 87(2)(b) may be reaching for a weapon, and so he drew his gun but did not point it at § 87(2)(b). § 87(2)(b) took off again, at which point Det Cabrera holstered his gun and continued chasing § 87(2)(b).

Det Franco stated that during the foot pursuit, he repeatedly yelled at § 87(2)(b) “Don’t move!” § 87(2)(b) repeatedly put one hand towards the front of his waistband while holding his pants up with the other hand. Det Franco could not recall if he drew his gun during the foot pursuit, but acknowledged that he may have. He could not recall if he saw Det Cabrera draw his gun, but confirmed that neither he nor Det Cabrera pointed their guns during the foot pursuit. Because § 87(2)(b) had not discarded anything after reaching into his waistband, Det Franco believed § 87(2)(b) could have been reaching for and adjusting a weapon. Det Cabrera and Det Franco denied threatening to shoot § 87(2)(b).

Surveillance footage from Hakkasan and 331 West 43<sup>rd</sup> Street did not clearly show whether the officers drew or pointed their guns, or whether § 87(2)(b) reached for his waistband. In the footage from Port Authority, the officers did not appear to have their guns drawn, and § 87(2)(b) was not depicted reaching for his waistband.

Officers are permitted to draw or point their firearms if they reasonably fear for their safety or the safety of others. NYPD v Gliner, OATH Index No. 955/00 (Board Review 09).

§ 87(2)(g)

§ 87(2)(g)

**Allegation E – Force: Detective Joseph Franco struck § 87(2)(b) with a gun in 625 8th Avenue in Manhattan.**

**Allegation F – Force: Detective Joseph Franco used physical force against § 87(2)(b) in 625 8th Avenue in Manhattan.**

§ 87(2)(b) explained that upon entering Port Authority, he ran into a room within a construction site. He realized he had nowhere left to run, and so with his hands still up, he began to kneel to the ground. Det Franco caught up with § 87(2)(b) and hit the right side of § 87(2)(b)'s face with the butt or side of his gun, causing a laceration above § 87(2)(b)'s right eye. Det Franco then punched the other side of § 87(2)(b)'s face. After being hit with the gun, § 87(2)(b) became lightheaded and felt as though he somewhat lost

consciousness for approximately five or six seconds. Det Cabrera handcuffed § 87(2)(b) and subsequently told § 87(2)(b) to stop resisting. § 87(2)(b) denied resisting at any point, and stated that he had little control over his body. In his recorded statement to IAB, § 87(2)(b) also reported that Det Franco hit him “in the lower part.” § 87(2)(b) did not verbally specify where he had been hit, but likely gestured the location to the IAB officers, as the recording depicted him stating, “right here.”

When § 87(2)(b) was lifted off of the ground, he saw that he had abrasions on his right knee cap and lower right leg near his shin. Both abrasions were bleeding. He also observed an abrasion to his right forearm. § 87(2)(b) believed the knee abrasion was sustained as a result of him kneeling to the ground. He was unsure how he sustained the other leg or arm abrasion, but confirmed that both were sustained during his apprehension, possibly from chafing against the ground. § 87(2)(b)'s injuries were still bleeding while at the stationhouse, and he was transported to § 87(2)(b). When § 87(2)(b) explained the incident to IAB officers, they told him that his facial injury looked as though it was caused by a fist rather than a gun. During § 87(2)(b)'s CCRB interview, nearly a month after this incident, scars from his knee, lower leg, and arms injuries were still visible. Photos were taken in regards (Board Review 10).

There were no surveillance cameras inside of or facing the construction site.

Det Franco stated that upon entering the construction site, he observed § 87(2)(b) in the room to the left, and yelled at § 87(2)(b) to get down and not to move. § 87(2)(b) did not comply and looked as though he was searching for a way out of the room. His fist was clenched. Det Franco still feared that § 87(2)(b) may have had a weapon, as he had not seen § 87(2)(b) discard any narcotics after reaching into his waistband during the pursuit. Det Franco drew his gun and advanced towards § 87(2)(b) who still appeared to be looking for a way out. Det Franco holstered his gun and then attempted to grab § 87(2)(b)'s arms. § 87(2)(b) moved back, pulling his arms away from Det Franco, and then attempted to punch Det Franco. Det Franco was unable to gain control of § 87(2)(b)'s arms to bring him to the ground, as § 87(2)(b) flailed his arms and was much larger than Det Franco, who is 5'3" tall and 150 pounds (Board Review 23).

Det Franco initially stated he did not make contact with any part of § 87(2)(b)'s body other than his arms. Upon further questioning in his CCRB interview, he then stated that when he still could not get ahold of either of § 87(2)(b)'s arms, he punched § 87(2)(b)'s face and upper torso. He believed he punched both body parts more than once, but could not estimate how many times he did so. Det Franco's punches were largely ineffective. Det Franco initially stated that § 87(2)(b) attempted to punch him but did not successfully make contact with him. Det Franco then stated that § 87(2)(b) successfully punched Det Franco's torso, but could not estimate how many times. Det Cabrera entered the room and assisted in gaining control of § 87(2)(b)'s arms. § 87(2)(b) was pulled to the ground, at which point the officers were able to cuff him fairly quickly. Det Franco could not recall how § 87(2)(b) landed on the ground. While walking § 87(2)(b) out of the construction site, Det Franco noticed a laceration above one of § 87(2)(b)'s eyes, which was bleeding. He did not observe any other injuries on him, but stated that § 87(2)(b)'s alleged injuries could have been sustained during the struggle.

Det Cabrera explained that upon entering the construction site, he saw § 87(2)(b) hiding behind a pillar, and saw § 87(2)(b) discard a plastic bag behind a curtain. § 87(2)(b) ran to a room left of the pillar and Det Franco followed while Det Cabrera remained in the first room to recover what § 87(2)(b) had thrown. After recovering the bag, Det Cabrera went to the other room and saw Det Franco holding one of § 87(2)(b)'s arms, in the process of bringing § 87(2)(b) to the ground. Det Franco was struggling to handcuff § 87(2)(b) and though § 87(2)(b) was falling to the ground, he flailed his arms and appeared to be attempting to run away. § 87(2)(b) landed on his front side, but Det Cabrera did not know if his face made contact with the ground. Det Cabrera took § 87(2)(b)'s other arm. § 87(2)(b) continued to flail his arms but seemed exhausted, and so it did not take long for the officers to cuff him. Det Cabrera did not see Det Franco's gun drawn at any point, and did not see Det Franco punch § 87(2)(b) or hit him with his gun. Det Cabrera did not observe any injuries on § 87(2)(b) and neither he nor Det Franco had any knowledge of § 87(2)(b) losing consciousness.

Det Cabrera explained that § 87(2)(b)'s injuries could have been sustained while § 87(2)(b) was on the ground, as there was debris and metal on the ground.

Lt Sanchez and Det Medina provided statements to the CCRB, and explained that they met with § 87(2)(b), Det Franco, and Det Cabrera soon after § 87(2)(b)'s apprehension (Board Review 20; 21). Det Medina saw debris on § 87(2)(b), Det Franco, and Det Cabrera's clothing. Both Det Medina and Lt Sanchez observed the laceration near § 87(2)(b)'s eye, and both recounted § 87(2)(b) stating that he was beat up by the police. Det Medina further recounted § 87(2)(b) stating that "the cops hit him," and he seemed to indicate that his facial laceration was sustained as a result. IAB officers later told Lt Sanchez that § 87(2)(b) had alleged that he had been struck with a gun, but the IAB officers did not believe this to be true. Lt Sanchez and Det Medina, who were present during § 87(2)(b)'s strip-search (see Allegation H), denied observing any additional injuries on § 87(2)(b) other than some possible redness to § 87(2)(b)'s upper chest.

The narrative of the IAB log, which was submitted via email by Lt Sanchez, was consistent with Lt Sanchez's account of what Det Franco and/or Det Cabrera had told him. The log stated that Det Franco punched § 87(2)(b) with a closed fist while attempting to subdue him, causing a laceration to his eyebrow (Board Review 01). Det Cabrera denied providing that information to Lt Sanchez.

§ 87(2)(b) arrived at § 87(2)(b) on April 2, 2016, at approximately 12:36 a.m. His medical records note that he had two small abrasions over his right eye, which § 87(2)(b) stated were caused by him being struck with a gun. § 87(2)(b) received stitches for the eye abrasions. § 87(2)(b) reported to medical personnel that after being hit with a gun, he fell to his right knee. The records noted an abrasion to his right knee, which was actively bleeding but did not require stitches. § 87(2)(b) further reported a brief loss of consciousness "after getting hit," and complained of mild abdominal pain "from getting punched in the stomach." § 87(2)(b) received follow-up treatment on April 3, 2016, during which time he stated he had been assaulted with the butt of a handgun (see privileged documents).

Patrol Guide Procedure 203-11 authorizes officers to use the minimum amount of force necessary to overcome resistance to affect an arrest (Board Review 11). The Police Student's Guide suggests that when using impact techniques such as a baton, officers should strive to strike extremities and larger muscle groups, such as the torso, rather than striking the head, which could result in serious injury or death (Board Review 12).

§ 87(2)(g)

§ 87(2)(g)

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§ 87(2)(g)

**Allegation G – Discourtesy: Detective Herbert Medina spoke discourteously to § 87(2)(b) in 625 8<sup>th</sup> Avenue in Manhattan.**

§ 87(2)(b) alleged that after being handcuffed, Det Franco and Det Cabrera escorted § 87(2)(b) into Det Medina’s custody, and then left the area. Det Medina conducted a brief search of § 87(2)(b) and told him, “Don’t fucking run next time.”

Det Medina denied telling § 87(2)(b) “Don’t fucking run next time,” and all other interviewed officers denied hearing Det Medina make the alleged statement.

§ 87(2)(g)

**Allegation H – Abuse of Authority: Lieutenant Fabian Sanchez authorized the strip-search of § 87(2)(b) at the 14<sup>th</sup> Precinct Stationhouse.**

§ 87(2)(b) stated that while being searched in Port Authority, he was compliant. He was then transported to the 14<sup>th</sup> Precinct Stationhouse, where he was strip-searched.

Lt Sanchez explained that while at Port Authority, Det Medina stepped aside with § 87(2)(b) while Det Cabrera and Det Franco told Lt Sanchez of the circumstances surrounding § 87(2)(b)’s arrest. They explained that they had observed § 87(2)(b) sell drugs to an individual, and that § 87(2)(b) subsequently fled from the officers into Port Authority. It was further explained that § 87(2)(b) discarded narcotics in a construction site within Port Authority. Lt Sanchez could not recall if the detectives indicated where § 87(2)(b) had taken the narcotics from, and he could not recall if both Det Franco and Det Cabrera claimed to

have witnessed § 87(2)(b) discard the narcotics. He could not recall if the narcotics had already been recovered at the point in which the incident was relayed to Lt Sanchez. Lt Sanchez was also informed that § 87(2)(b) resisted arrest by “throwing punches and swinging.” Lt Sanchez could not recall if Det Franco or Det Cabrera indicated to Lt Sanchez that they believed § 87(2)(b) was in possession of or was attempting to conceal more narcotics.

§ 87(2)(b) was briefly searched in the lobby of Port Authority. Lt Sanchez could not recall who conducted the search, but recounted that during the search, § 87(2)(b) repeatedly moved his body around, making it difficult for the officer to search him. While in handcuffs, § 87(2)(b) repeatedly attempted to reach under his waistband. The officers prevented him from reaching into his waistband, and his waistband was then checked. The officers were unable to conduct a more thorough search below the waistband however, as that would have had to be done at the stationhouse with Lt Sanchez’s authorization. No contraband was recovered during the search.

Because § 87(2)(b) repeatedly moved around and attempted to reach into his pants during the search at Port Authority, Lt Sanchez believed § 87(2)(b) may have had additional narcotics on his person, which he was attempting to conceal or discard. For this reason, as well as the fact that § 87(2)(b) had been selling narcotics, had discarded narcotics, and had resisted arrest, Lt Sanchez made the decision for § 87(2)(b) to be strip-searched. At some point before authorizing the strip-search, Lt Sanchez was also informed that a large number of baggies containing crack had been recovered from the room in Port Authority where § 87(2)(b) had discarded a bag. Lt Sanchez authorized and supervised the strip-search, but could not recall who specifically gave § 87(2)(b) instructions during the strip-search. During the strip-search, one small yellow baggie of crack was recovered from § 87(2)(b)’s sneaker.

Det Medina confirmed that he searched § 87(2)(b) in Port Authority. He explained that when he attempted to pat § 87(2)(b)’s upper leg, § 87(2)(b) moved his leg, pushing Det Medina’s hands away. § 87(2)(b) did this when Det Medina attempted to frisk or search other parts of his body including his waistband, making it difficult for Det Medina to search and frisk him. § 87(2)(b)’s movements led Det Medina to believe that § 87(2)(b) may have been attempting to deter Det Medina from searching particular areas of his body because he was perhaps secreting contraband in those areas. Det Medina stated that he made a request to Lt Sanchez that § 87(2)(b) be strip-searched. During the strip-search, Det Medina lifted the insole of one of § 87(2)(b)’s shoes and found one zip-lock baggie of crack.

Det Franco and Det Cabrera confirmed that upon exiting the construction site, they explained the circumstances of § 87(2)(b)’s arrest to Lt Sanchez. Though Det Franco did not recall there being any conversation about § 87(2)(b) discarding the bags of narcotics, Det Cabrera stated that he told Lt Sanchez that § 87(2)(b) had concealed a bag of narcotics, which he later took from his person and threw behind the curtain. Det Cabrera and Det Franco denied having discussed with Lt Sanchez the possibility that § 87(2)(b) was concealing more drugs on his person. After explaining the circumstances of § 87(2)(b)’s arrest to Lt Sanchez, Det Franco and Det Cabrera resumed patrol. They denied observing any officer search or frisk § 87(2)(b) in Port Authority.

A strip-search may be conducted when an officer reasonably suspects that a person may be concealing weapons, contraband, or evidence on their person or in the clothing in such a manner that they may not be discovered by previous search methods. “Factors that should be considered in determining whether an appropriate basis exists for a strip-search include the nature of the crime, arrest circumstances, subject’s reputation, acts of violence... and any discoveries or information from previous searches of the same individual...” NYPD Patrol Guide, Section 208-05 (Board Review 24).

§ 87(2)(g)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)



§ 87(2)(g)

**Allegation I – Abuse of Authority: Lieutenant Fabian Sanchez threatened § 87(2)(b) with the use of force at the 14<sup>th</sup> Precinct Stationhouse.**

§ 87(2)(b) stated that during the strip-search, an officer pointed a taser at him in a threatening manner.

§ 87(2)(b) stated that he was compliant for the duration of the strip-search.

Lt Sanchez confirmed that he was the only officer present during the strip-search who was authorized to carry a taser. Lt Sanchez believed § 87(2)(b) was compliant during the strip-search. However, given that § 87(2)(b) had allegedly previously fought with Det Franco and Det Cabrera before being handcuffed, Lt Sanchez was concerned that § 87(2)(b) may begin fighting again during the strip-search, as he would be uncuffed. Lt Sanchez therefore held his taser at his side during the strip-search. Lt Sanchez denied pointing the taser at § 87(2)(b) at any point or threatening to use the taser against him in any way.

§ 87(2)(g)

Squad: 07

Investigator:	_____	<u>Liliana Manuel</u>	_____
	Signature	Print	Date
Squad Leader:	_____	<u>Diana Murray</u>	_____
	Title/Signature	Print	Date
Reviewer:	_____	_____	_____
	Title/Signature	Print	Date